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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,817	11/25/2003	Steven E. Sadinsky	50833/TJD/G316	8001
23363 7590 11/10/2008 CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068				
EXAMINER FERGUSON, MICHAEL P				
ART UNIT 3679		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,817

Applicant(s)

SADINSKY, STEVEN E.

Examiner

MICHAEL P. FERGUSON

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20, 24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 24 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 1 and 8 are objected to because of the following informalities:

Claim 1 (line 8) recites "the gate positioned". It should recite --a gate positioned--.

Claim 8 (line 5) recites "pins are in the". It should recite --pins are received in the--.

For the purpose of examining the application, it is assumed that appropriate correction has been made.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-13 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 (lines 1-21) recites "A lightweight fence and gate for swimming pools surrounded by a deck, the lightweight fence comprising... the deck comprising a plurality of sockets". It is unclear as to whether a deck having a plurality of sockets has been positively claimed as an element of the claimed lightweight fence and gate, or whether a deck and sockets have only been recited as intended use. Accordingly, one is unable to properly determine the metes and bounds of such claim. Claims 2-9 and 24 depend from claim 1 and are likewise rejected.

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Claim 10 (lines 1-17) recites "A lightweight fence and gate for swimming pools surrounded by a deck, the lightweight fence comprising... the deck comprising a plurality of sockets". It is unclear as to whether a deck having a plurality of sockets has been positively claimed as an element of the claimed lightweight fence and gate, or whether a deck and sockets have only been recited as intended use. Accordingly, one is unable to properly determine the metes and bounds of such claim. Claims 11-13 depend from claim 10 and are likewise rejected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 10-12, 14-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sadinsky et al. (US 5,664,769) in view of Applicant's admitted prior art (specification page 1 line 28-page 2 line 7).

As to claims 1-3 and 8, Sadinsky et al. disclose a lightweight fence and gate for swimming pools surrounded by a deck, the lightweight fence comprising a plurality of poles 11;

a mesh screen IF tensioned between the plurality of poles except at a gate opening in the lightweight fence, the mesh screen having top and bottom bindings;

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a gate **G** positioned at the gate opening and comprising a pair of spaced upright support members **31,33**, a first horizontal brace **12** for spacing the pair of spaced upright support members and a length of mesh screen tensioned between the pair of spaced upright support members;

support means **21,22** capable of withstanding lateral tension forces of the mesh screen for supporting and latching the gate, the support means comprising a first gate pole **21** of the plurality of poles attached to one of the pair of spaced upright support members on one side of the gate opening and a second gate pole **22** of the plurality of poles attached to the other of the pair of spaced upright support members on another side of the gate opening;

hinges **H** secured to the support means on one side of the gate; and

a latch device **M** secured to the gate and to the support means on an opposite side of the gate from the hinges;

the deck comprising a plurality of sockets, each of the plurality of sockets configured to receive one pole (capable of receiving a pin);

wherein the gate poles are received in the deck and wherein cross members are attached to both of the gate poles (Figures 2, 3 and 5).

Sadinsky et al. fail to disclose a fence and gate wherein each of the plurality of poles includes an insert within each pole and a pin fixedly attached to each insert, the pin protruding from a bottom of each pole; wherein the insert comprises plastic; wherein the pin comprises metal; and wherein the metal pins are received in the pool deck.

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Applicant's admitted prior art teaches a fence wherein poles include a plastic insert within each pole and a metal pin fixedly attached to each insert, the pin protruding from a bottom of each pole; wherein the pins are received in a pool deck; the smaller diameter pins enabling one to use less noticeable, smaller diameter holes, capable of receiving the smaller diameter pins, in the pool decking; the smaller holes being less noticeable when the pool is used without the fence (specification page 1 line 28-page 2 line 7). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. wherein each of the plurality of poles includes a plastic insert within each pole and a metal pin fixedly attached to each insert as taught by Applicant's admitted prior art in order to enable one to use less noticeable, smaller diameter holes in the pool decking.

As to claim 4, Sadinsky et al. disclose a fence and gate wherein the first gate pole **21** and the second gate pole **22** each include a cross member **24,25** attached to one of the pair of spaced upright support members **31,33** (Figure 3).

As to claim 5, Sadinsky et al. disclose a fence and gate wherein the gate **G** includes a generally U-shaped frame opening upwardly with a first horizontal brace **13** secured to lower ends of the pair of spaced upright support members **31,33** and a second horizontal brace **CB** secured to the pair of spaced upright support members on a pool side of the mesh screen **IF** at a height well below the top of the gate fabric (Figure 3).

As to claim 6, Applicant's admitted prior art does not disclose any structural or functional significance as to the particular plastic of the insert

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(specification page 1 line 29-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a fence and gate where the insert comprises polyvinylchloride.

The Appellant is reminded that the selection of a known material based upon its suitability for the intended use, wherein no structural or functional significance as to the particular material of an element is disclosed, is a design consideration within the skill of the art. In re Leshin, 227 F.2d 197, 125 USPQ 416 (CCPA 1960). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. in view of Applicant's admitted prior art to have an insert comprising polyvinylchloride as Applicant's admitted prior art does not disclose any structural or functional significance as to the particular plastic of the insert, as polyvinylchloride is a durable, economic, readily available plastic material known within the art, and as such selection of a known material is a design consideration within the skill of the art which would yield expected and predictable results.

As to claim 7, Applicant's admitted prior art does not disclose any structural or functional significance as to the particular metal of the pin (specification page 1 line 29-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a fence and gate where the pin comprises stainless steel.

The Appellant is reminded that the selection of a known material based upon its suitability for the intended use, wherein no structural or functional

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significance as to the particular material of an element is disclosed, is a design consideration within the skill of the art. In re Leshin, 227 F.2d 197, 125 USPQ 416 (CCPA 1960). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. in view of Applicant's admitted prior art to have a pin comprising stainless steel as Applicant's admitted prior art does not disclose any structural or functional significance as to the particular metal of the pin, as stainless steel is a durable, economic, readily available metal material known within the art, and as such selection of a known material is a design consideration within the skill of the art which would yield expected and predictable results.

As to claims 10-12, Sadinsky et al. disclose a lightweight fence and gate for swimming pools surrounded by a deck, the lightweight fence comprising a plurality of poles **11**;

a first length of mesh screen **1F** tensioned between the plurality of poles except at a gate opening in the lightweight fence defining the fence;

a gate **G** in the fence including a frame having a pair of spaced upright support members **31,33** and a second length of mesh screen tensioned between the pair of upright support members of the gate; and

support means **21,22** to which the first length of mesh screen is attached for supporting the fence and gate and for latching the gate including a truss structure capable of isolating lateral tension forces of the first length of mesh screen on opposite sides of the gate, the support means comprising at least one

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gate pole **21,22** of the plurality of poles on each opposite side of the gate opening attached to one of the pair of spaced upright support members;

the deck comprising a plurality of sockets, each of the plurality of sockets configured to receive a pole (capable of receiving a pin; Figures 2, 3 and 5).

Sadinsky et al. fail to disclose a fence and gate wherein each of the plurality of poles includes an insert within each pole and a pin attached to each insert, the pin protruding from a bottom of each of the plurality of poles and configured to be inserted into the deck; wherein the insert comprises plastic; and wherein the pin comprises metal.

Applicant's admitted prior art teaches a fence wherein the poles include a plastic insert within each pole and a metal pin attached to each insert, the pin protruding from a bottom of each pole; the smaller diameter pins enabling one to use less noticeable, smaller diameter holes, capable of receiving the smaller diameter pins, in the pool decking; the smaller holes being less noticeable when the pool is used without the fence (specification page 1 line 28-page 2 line 7). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. wherein each of the plurality of poles includes a plastic insert within each pole and a metal pin attached to each insert as taught by Applicant's admitted prior art in order to enable one to use less noticeable, smaller diameter holes in the pool decking.

As to claims 14-16, Sadinsky et al. disclose a method for installing a self closing gate in a tensioned removable swimming pool fence comprising a

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plurality of poles **11** interconnected by flexible mesh fencing **IF** except at a gate opening, the method comprising:

inserting the plurality of poles (capable of including a pin) into a deck surrounding a swimming pool with the flexible mesh fencing in tension to maintain the fence in tension, the deck having drilled sockets configured to receive the poles (capable of receiving a pin), wherein the first and last poles of the plurality of poles define the gate opening, the first and last poles each constituting a pair of gate poles of the plurality of poles connected to each other to define a support structure **21,22** capable of absorbing the tension of the flexible mesh fencing;

fabricating a gate **G** including a pair of side rails **31,33**, each side rail of the pair of side rails attached to one of the pair of gate poles of the plurality of poles, a cross rail **12** and flexible mesh tensioned between the pair of side rails;

hinging the first of the pair of side rails of the gate to the first of the pair of gate poles; and

installing a latch **M** between the second of the pair of side rails of the gate and the second of the pair of gate poles of the tensioned fence;

whereby the gate is free to open and close without interference by the tension of the mesh fencing (Figures 2, 3 and 5).

Sadinsky et al. fail to disclose a method wherein the plurality of poles include an insert within each pole and a pin attached to each insert, the pin protruding from a bottom of each pole; wherein the insert comprises plastic; and wherein the pin comprises metal.

Applicant's admitted prior art teaches a fence wherein the poles include a plastic insert within each pole and a metal pin attached to each insert, the pin protruding from a bottom of each pole; the smaller diameter pins enabling one to use less noticeable, smaller diameter holes, capable of receiving the smaller diameter pins, in the pool decking; the smaller holes being less noticeable when the pool is used without the fence (specification page 1 line 28-page 2 line 7). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method disclosed by Sadinsky et al. wherein the plurality of poles include a plastic insert within each pole and a metal pin attached to each insert as taught by Applicant's admitted prior art in order to enable one to use less noticeable, smaller diameter holes in the pool decking.

As to claims 18-20, Sadinsky et al. disclose a gate **G** and a pair of gate poles **21,22** for the gate in a tensioned removable swimming pool fence, each of the pair of gate poles comprising:

- a lower end; and

- the pole (capable of receiving a pin) being configured to be inserted into a drilled socket in a pool deck;

- the gate comprising a frame having a pair of spaced upright support members **31,33**, wherein each of the pair of gate poles is attached to one of the pair of spaced upright support members to allow the gate to be free to open and close without interference from the tension of the removable swimming pool fence (Figures 2, 3 and 5).

Sadinsky et al. fail to disclose a gate and pair of gate poles wherein each of the pair of gate poles comprises an insert within the lower end of each pole and a pin fixedly attached to each insert, the pin having a diameter smaller than a diameter of the pole and a cylindrical portion that protrudes from the lower end, the cylindrical portion terminating at a substantially flat bottom surface, the pin being configured to be inserted into a drilled socket in a pool deck; wherein the insert comprises plastic; and wherein the pin comprises metal.

Applicant's admitted prior art teaches fence poles wherein each pole comprises a plastic insert within a lower end of each pole and a metal pin fixedly attached to each insert, the pin having a diameter smaller than a diameter of the pole and a cylindrical portion that protrudes from the lower end, the cylindrical portion terminating at a substantially flat bottom surface, the pin being configured to be inserted into a drilled socket in a pool deck; the smaller diameter pins enabling one to use less noticeable, smaller diameter holes, capable of receiving the smaller diameter pins, in the pool decking; the smaller holes being less noticeable when the pool is used without the fence (specification page 1 line 28- page 2 line 7). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the gate and pair of gate poles disclosed by Sadinsky et al. wherein each of the pair of gate poles comprises a plastic insert within each pole and a metal pin attached to each insert as taught by Applicant's admitted prior art in order to enable one to use less noticeable, smaller diameter holes in the pool decking.

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6. Claims 9, 13, 17, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sadinsky et al. in view of Applicant's admitted prior art as applied to claims 1, 8, 10, 14 and 18 above, and further in view of Palamarz (US 5,355,642).

As to claim 9, Applicant's admitted prior art discloses a pole wherein the pin is attached to the insert by a screw (specification page 1 line 28-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a fence and gate wherein the pin is attached to the insert by an adhesive.

Palamarz teaches a pole 58 wherein a pin 54,56 is attached to the pole by an adhesive 61; adhesive 61 both retains pin 54,56 within pole 58 and acts together with the pin to reinforce the pole (Figure 3, column 5 lines 29-52). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. in view of Applicant's admitted prior art wherein the pin is attached to the insert by an adhesive as taught by Palamarz in order to more securely retain the pin within the pole and to reinforce the pole.

As to claim 13, Applicant's admitted prior art discloses a pole wherein the pin is attached to the insert by a screw (specification page 1 line 28-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a fence and gate wherein the pin is attached to the insert by an adhesive.

Palamarz teaches a pole 58 wherein a pin 54,56 is attached to the pole by an adhesive 61; adhesive 61 both retains pin 54,56 within pole 58 and acts together with the pin to reinforce the pole (Figure 3, column 5 lines 29-52).

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Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. in view of Applicant's admitted prior art wherein the pin is attached to the insert by an adhesive as taught by Palamarz in order to more securely retain the pin within the pole and to reinforce the pole.

As to claim 17, Applicant's admitted prior art discloses a pole wherein the pin is attached to the insert by a screw (specification page 1 line 29-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a method wherein the pin is attached to the insert by an adhesive.

Palamarz teaches a pole **58** wherein a pin **54,56** is attached to the pole by an adhesive **61**; adhesive **61** both retains pin **54,56** within pole **58** and acts together with the pin to reinforce the pole (Figure 3, column 5 lines 29-52). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method disclosed by Sadinsky et al. in view of Applicant's admitted prior art wherein the pin is attached to the insert by an adhesive as taught by Palamarz in order to more securely retain the pin within the pole and to reinforce the pole.

As to claim 24, Applicant's admitted prior art discloses a pole wherein the pin is fixedly attached to the insert by a screw (specification page 1 line 28-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a fence and gate wherein the pin is fixedly attached to the insert by an adhesive.

Palamarz teaches a pole **58** wherein a pin **54,56** is fixedly attached to the pole by an adhesive **61**; adhesive **61** both retains pin **54,56** within pole **58** and

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acts together with the pin to reinforce the pole (Figure 3, column 5 lines 29-52). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. in view of Applicant's admitted prior art wherein the pin is fixedly attached to the insert by an adhesive as taught by Palamarz in order to more securely retain the pin within the pole and to reinforce the pole.

As to claim 25, Applicant's admitted prior art discloses a pole wherein the pin is fixedly attached to the insert by a screw; and wherein the pin is removably insertable into the drilled socket (specification page 1 line 28-page 2 line 7). Sadinsky et al. in view of Applicant's admitted prior art fails to disclose a gate and pair of gate poles wherein the pin is fixedly attached to the insert by an adhesive.

Palamarz teaches a pole **58** wherein a pin **54,56** is fixedly attached to the pole by an adhesive **61**; adhesive **61** both retains pin **54,56** within pole **58** and acts together with the pin to reinforce the pole (Figure 3, column 5 lines 29-52). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the gate and pair of gate poles disclosed by Sadinsky et al. in view of Applicant's admitted prior art wherein the pin is fixedly attached to the insert by an adhesive as taught by Palamarz in order to more securely retain the pin within the pole and to reinforce the pole.

Response to Arguments

7. Applicant's arguments, in regards to claims 1-20, 24 and 25, filed August 6, 2008, have been fully considered but they are not persuasive.

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Examiner acknowledges the declaration under 37 CFR 1.132 filed August 5, 2008, entitled DECLARATION OF STEVEN E. SADINSKY UNDER 37 CFR 132. However, such declaration is not persuasive as Applicant has failed to provide any evidence of unexpected results over the Applicant's admitted prior art (specification page 1 line 28-page 2 line 7). Examiner notes that Applicant's admitted prior art teaches that the use of inserts and pins within pool deck fence poles is well known within the art, independent of whether or not the use of such inserts and pins to directly support gate uprights is perceived to provide adequate stability.

As to claims 1, 10, 12, 14 and 18, Attorney argues that Applicant's admitted prior art teaches away from the use of inserts and pins within gate poles, as such was perceived to decrease stability of a gate. Attorney argues that:

Applicant's admitted prior art does not disclose a fence and gate comprising a plurality of poles each *including an insert within each pole and a pin fixedly attached to each insert, the pin protruding from a bottom of each pole, wherein the pin is configured to be inserted into the deck.*

Examiner disagrees. As to claims 1, 10, 12, 14 and 18, Applicant's admitted prior art teaches a fence wherein poles each include a plastic insert within each pole and a metal pin fixedly attached to each insert, the pin protruding from a bottom of each pole, wherein the pin is configured to be inserted into a deck; the smaller diameter pins enabling one to use less noticeable, smaller diameter holes, capable of receiving the smaller diameter

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pins, in the pool decking; the smaller holes being less noticeable when the pool is used without the fence (specification page 1 line 28-page 2 line 7). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fence and gate disclosed by Sadinsky et al. wherein the poles include a plastic insert within each pole and a metal pin fixedly attached to each insert as taught by Applicant's admitted prior art in order to enable one to use less noticeable, smaller diameter holes in the pool decking.

Furthermore, Examiner notes that Applicant's admitted prior art teaches that the use of inserts and pins within pool deck fence poles is well known within the art, independent of whether or not the use of such inserts and pins to directly support gate uprights is perceived to provide adequate stability.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MPF
11/06/08

/Michael P. Ferguson/
Primary Examiner, Art Unit 3679